

PROOF

STATE OF IOWA

Senate Journal

WEDNESDAY, FEBRUARY 24, 2016

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JOURNAL OF THE SENATE

FORTY-FIFTH CALENDAR DAY
TWENTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 24, 2016

The Senate met in regular session at 9:06 a.m., President Jochum presiding.

Prayer was offered by the Honorable David Johnson, member of the Senate from Osceola County, Ocheyedan, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by IJAG students; Trevor Collins from North High School in Des Moines, Iowa and Brooklynn Johnson from Lincoln High School in Des Moines, Iowa.

The Journal of Tuesday, February 23, 2016, was approved.

BILL REFERRED TO COMMITTEE

Senator Gronstal asked and received unanimous consent that [Senate File 2290](#) be referred from the Regular Calendar to the committee on **Appropriations**.

The Senate stood at ease at 9:20 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:44 a.m., President Jochum presiding.

CONSIDERATION OF BILLS (Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 2109 and 2155.

Senate File 2109

On motion of Senator Dvorsky, [Senate File 2109](#), a bill for an act relating to financial and regulatory matters by supplementing appropriations for the fiscal year beginning July 1, 2015, making standing appropriations, and including effective date provisions, was taken up for consideration.

Senator Chelgren offered amendment [S-5027](#), filed by him from the floor to pages 1–3 of the bill, and moved its adoption.

Amendment [S-5027](#) lost by a voice vote.

Senator Danielson offered amendment [S-5026](#), filed by him from the floor to page 3 of the bill.

([Senate File 2109](#) and amendment [S-5026](#) were deferred.)

The Senate stood at ease at 10:59 a.m. until the fall of the gavel for the purpose of a Republican party caucus.

The Senate resumed session at 11:15 a.m., President Jochum presiding.

The Senate resumed consideration of [Senate File 2109](#) and amendment [S-5026](#), previously deferred.

Senator Chapman raised the point of order that amendment [S-5026](#) was not germane to the bill.

The Chair ruled the point well-taken and amendment [S-5026](#) out of order.

Senator Dvorsky moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([S.F. 2109](#)), the vote was:

Yeas, 26:

Allen	Dearden	Jochum	Schoenjahn
Bisignano	Dotzler	Kinney	Seng
Bolkcom	Dvorsky	Mathis	Sodders
Bowman	Gronstal	McCoy	Taylor

Brase	Hart	Petersen	Wilhelm
Courtney	Hogg	Quirnbach	
Danielson	Horn	Ragan	

Nays, 24:

Anderson	Costello	Kapucian	Shiple
Behn	Dix	Kraayenbrink	Sinclair
Bertrand	Feenstra	Rozenboom	Smith
Breitbach	Garrett	Schneider	Whitver
Chapman	Guth	Schultz	Zaun
Chelgren	Johnson	Segebart	Zumbach

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

[Senate File 2155](#)

On motion of Senator Danielson, [Senate File 2155](#), a bill for an act creating a statewide land mobile radio communications system fund, making an appropriation, and including effective date provisions, was taken up for consideration.

Senator Danielson withdrew amendment [S-5021](#), filed by him on February 23, 2016, striking and replacing everything after the enacting clause of the bill.

Senator Danielson offered amendment [S-5025](#), filed by him from the floor, striking and replacing everything after the enacting clause of the bill, and moved its adoption.

Amendment [S-5025](#) was adopted by a voice vote.

With the adoption of amendment [S-5025](#), the Chair ruled amendment [S-5008](#), filed by Senator Danielson on February 16, 2016, to page 1 of the bill, out of order.

Senator Danielson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([S.F. 2155](#)), the vote was:

Yeas, 30:

Allen	Courtney	Horn	Ragan
Anderson	Danielson	Jochum	Schoenjahn
Bertrand	Dearden	Kapucian	Seng
Bisignano	Dotzler	Kinney	Sodders
Bolkcom	Dvorsky	Mathis	Taylor
Bowman	Gronstal	McCoy	Wilhelm
Brase	Hart	Petersen	
Chelgren	Hogg	Quirnbach	

Nays, 20:

Behn	Feenstra	Rozenboom	Sinclair
Breitbach	Garrett	Schneider	Smith
Chapman	Guth	Schultz	Whitver
Costello	Johnson	Segebart	Zaun
Dix	Kraayenbrink	Shipley	Zumbach

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 2185, 2221, and 2224.

[Senate File 2185](#)

On motion of Senator Kinney, [Senate File 2185](#), a bill for an act relating to a criminal trespass that results in a violation of a person’s expectation of privacy, and providing penalties, was taken up for consideration.

Senator Kinney moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 2185](#)), the vote was:

Yeas, 50:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	Shipley
Bertrand	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirnbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

[Senate File 2221](#)

On motion of Senator McCoy, [Senate File 2221](#), a bill for an act relating to public utilities and sanitary sewage or storm water drainage disposal system providers, was taken up for consideration.

Senator McCoy moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 2221](#)), the vote was:

Yeas, 50:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	Shipley
Bertrand	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirnbach	Whitver
Breitbach	Guth	Ragan	Wilhelm

Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

[Senate File 2224](#)

On motion of Senator McCoy, [Senate File 2224](#), a bill for an act relating to the overtaking and passing of bicyclists by motor vehicles, and applying existing penalties, was taken up for consideration.

Senator Bolkcom offered amendment [S-5014](#), filed by him on February 22, 2016, to page 1 and amending the title page of the bill.

Senator Chapman raised the point of order that amendment [S-5014](#) was not germane to the bill.

The Chair ruled the point well-taken and amendment [S-5014](#) out of order.

Senator McCoy moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 2224](#)), the vote was:

Yeas, 38:

Allen	Dearden	Johnson	Schoenjahn
Anderson	Dotzler	Kapucian	Segebart
Bertrand	Dvorsky	Kinney	Seng
Bolkcom	Feenstra	Kraayenbrink	Shiple
Bowman	Garrett	Mathis	Sinclair
Brase	Gronstal	McCoy	Smith
Chelgren	Hart	Petersen	Sodders
Costello	Hogg	Quirnbach	Wilhelm
Courtney	Horn	Ragan	
Danielson	Jochum	Rozenboom	

Nays, 12:

Behn	Chapman	Schneider	Whitver
Bisignano	Dix	Schultz	Zaun
Breitbach	Guth	Taylor	Zumbach

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 2109, 2155, 2185, 2221, and 2224** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 2242 and 2247.

[Senate File 2242](#)

On motion of Senator Dearden, [Senate File 2242](#), a bill for an act relating to the administration of city elections by permitting the county commissioner of elections to designate a city clerk to receive city candidate filings, was taken up for consideration.

Senator Dearden moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 2242](#)), the vote was:

Yeas, 50:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	Shipley
Bertrand	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor

Brase	Gronstal	Quirnbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

[Senate File 2247](#)

On motion of Senator Bowman, [Senate File 2247](#), a bill for an act relating to the use of licenses and advertisements by motor vehicle dealers and wholesalers, and making penalties applicable, was taken up for consideration.

Senator Bowman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 2247](#)), the vote was:

Yeas, 50:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	Shipley
Bertrand	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirnbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 2242** and **2247** be **immediately messaged** to the House.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 2244](#).

[Senate File 2244](#)

On motion of Senator Quirnbach, [Senate File 2244](#), a bill for an act relating to persons with disabilities registration plates for motor vehicles owned by irrevocable trusts, was taken up for consideration.

Senator Quirnbach offered amendment [S-5019](#), filed by him on February 22, 2016, to pages 1 and 2 and amending the title page of the bill, and moved its adoption.

Amendment [S-5019](#) was adopted by a voice vote.

Senator Quirnbach moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 2244](#)), the vote was:

Yeas, 50:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	Shiple
Bertrand	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirnbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

CONSIDERATION OF RESOLUTIONS
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Resolutions 2006 and 2007.

Senate Joint Resolution 2006

On motion of Senator Schoenjahn, **Senate Joint Resolution 2006**, a joint resolution nullifying an administrative rule by the board of educational examiners establishing a special education endorsement and specializations and including effective date provisions, was taken up for consideration.

Senate Joint Resolution 2006, a joint resolution nullifying an administrative rule by the board of educational examiners establishing a special education endorsement and specializations and including effective date provisions.

BE IT RESOLVED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. 282 Iowa administrative code, rule 14.2, subrules 10 and 11, are nullified.

Sec. 2. EFFECTIVE DATE. This joint resolution, being deemed of immediate importance, takes effect upon enactment.

Senator Schoenjahn moved that the resolution be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the resolution was read the last time.

On the question "Shall the resolution be adopted?" (**S.J.R. 2006**), the vote was:

Yeas, 50:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	Shipley

Bertrand	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirnbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	

Nays, none.

Absent, none.

The senate joint resolution, having received a constitutional majority, was declared to have been adopted by the Senate and the title was agreed to.

Senate Joint Resolution 2007

On motion of Senator Schoenjahn, Senate Joint Resolution 2007, a joint resolution nullifying administrative rules increasing fees assessed by the board of educational examiners and including effective date provisions, was taken up for consideration.

Senate Joint Resolution 2007, a joint resolution nullifying administrative rules increasing fees assessed by the board of educational examiners and including effective date provisions.

BE IT RESOLVED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. The amendments to 282 Iowa administrative code, chapter 12, as appearing in ARC 2229C, as published in the Iowa administrative bulletin, volume XXXVIII, number 10, dated November 11, 2015, pp. 804–805, are nullified.

Sec. 2. EFFECTIVE DATE. This joint resolution, being deemed of immediate importance, takes effect upon enactment.

Senator Schoenjahn moved that the resolution be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the resolution was read the last time.

On the question "Shall the resolution be adopted?" ([S.J.R. 2007](#)), the vote was:

Yeas, 50:

Allen	Danielson	Johnson	Segebart
Anderson	Dearden	Kapucian	Seng
Behn	Dix	Kinney	Shipley
Bertrand	Dotzler	Kraayenbrink	Sinclair
Bisignano	Dvorsky	Mathis	Smith
Bolkcom	Feenstra	McCoy	Sodders
Bowman	Garrett	Petersen	Taylor
Brase	Gronstal	Quirnbach	Whitver
Breitbach	Guth	Ragan	Wilhelm
Chapman	Hart	Rozenboom	Zaun
Chelgren	Hogg	Schneider	Zumbach
Costello	Horn	Schoenjahn	
Courtney	Jochum	Schultz	

Nays, none.

Absent, none.

The senate joint resolution, having received a constitutional majority, was declared to have been adopted by the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Joint Resolutions 2006** and **2007** and [Senate File 2244](#) be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 1:05 p.m. until 9:00 a.m., Thursday, February 25, 2016.

APPENDIX**CERTIFICATE OF RECOGNITION**

The Secretary of the Senate issued the following certificate of recognition:

Max Lyon, Dyersville—For being named State Wrestling Tournament Champion. Senator Bowman.

SUBCOMMITTEE ASSIGNMENTS**[Senate File 2210](#)**

JUDICIARY: Horn, Chair; Garrett and Sadders

[Senate File 2211](#)

JUDICIARY: Horn, Chair; Garrett and Sadders

[Senate File 2220](#)

JUDICIARY: Hogg, Chair; Schneider and Sadders

[Senate File 2292](#)

WAYS AND MEANS: Quirnbach, Chair; Anderson and Bolkcom

[Senate File 2293](#)

WAYS AND MEANS: Quirnbach, Chair; Anderson and Bolkcom

[Senate File 2295](#)

WAYS AND MEANS: Bolkcom, Chair; Feenstra and Quirnbach

[House File 2146](#)

STATE GOVERNMENT: McCoy, Chair; Bowman and Chapman

[House File 2168](#)

JUDICIARY: Horn, Chair; Garrett and Sadders

[House File 2261](#)

COMMERCE: Bolkcom, Chair; Allen and Zumbach

[House File 2279](#)

JUDICIARY: Sodders, Chair; Kinney and Zaun

[House File 2280](#)

JUDICIARY: Horn, Chair; Sodders and Whitver

[House File 2281](#)

JUDICIARY: Petersen, Chair; Quirnbach and Whitver

[House File 2283](#)

NATURAL RESOURCES AND ENVIRONMENT: Dearden, Chair; Brase and Rozenboom

[House File 2312](#)

EDUCATION: Schoenjahn, Chair; Dvorsky and Schultz

[House File 2314](#)

JUDICIARY: Sodders, Chair; Kinney and Zaun

AMENDMENTS FILED

<u>S-5025</u>	<u>S.F. 2155</u>	Jeff Danielson
<u>S-5026</u>	<u>S.F. 2109</u>	Jeff Danielson
<u>S-5027</u>	<u>S.F. 2109</u>	Mark Chelgren
<u>S-5028</u>	<u>S.F. 2163</u>	Brian Schoenjahn
<u>S-5029</u>	<u>S.F. 2257</u>	Tony Bisignano
<u>S-5030</u>	<u>S.F. 2288</u>	Janet Petersen